

PROBATE NOTES: Friday, October 21, 2016

These notes are not updated based on subsequent filings once they are posted.

PR10500 Estate of Julius Edward Dias

Hearing type: Further review re report on status of administration (Prob. Code, § 12200)

Administrator: Susan H. Salnick

Administrator's counsel: Gary P. Dambacher

The Court has reviewed the report filed on October 3, 2016. Appearance not required. A further review hearing pursuant to Probate Code section 12200 will be set for January 27, 2017, at 8:30 a.m.

PR10859 Conservatorship of Raymond Wasden

Hearing type: Review re final discharge

Conservator: Mark Olson

Conservator's counsel: Jennifer J. Lothert

As of October 16, 2016, the proof required prior to final discharge pursuant to the order dated September 12, 2016, had not been filed. Appearance required if it is not filed prior to the hearing.

PR10949 Conservatorship of Frank Ziegenhein

Hearing type: Second account and report of conservator; petition for fees and costs

Conservator: Mark Olson

Conservator's counsel: Jennifer J. Lothert

The Court has reviewed the pleadings filed on September 21, 2016, and October 3, 2016. The petition is recommended for approval with the following modifications:

1. Petitioner is authorized to pay his counsel the \$2,185.00 sought minus the \$12.25 past overbilling, for a total of \$2,172.75.
2. The new periodic-fee amount of \$480.00 shall be effective as of November 1, 2016.

Appearance not required. A review hearing re the third accounting will be set for August 24, 2018, at 8:30 a.m.

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PR11054 Estate of John J. Winkler

Hearing type: Review re report on status of administration (Prob. Code, § 12200)
Administrator: Sheena Winkler
Administrator's counsel: Paul S. Bunt

As of October 16, 2016, the report had not been filed. Appearance required if it is not filed prior to the hearing.

PR11097 Conservatorship of Avis N. Haney

Hearing type: Review re court investigator's report (Prob. Code, § 1850)
Conservator: Jack G. Haney
Conservator's counsel: None

The Court has reviewed the report filed on September 7, 2016. Appearance not required. A review hearing re the court investigator's next report will be set for October 19, 2018, at 8:30 a.m.

PR11107 Estate of Voyle R. Worthington

Hearing type: Further review re report on status of administration (Prob. Code, § 12200)
Executor: Deborah Lynne Jones
Executor's counsel: Gary P. Dambacher

The Court has reviewed the report filed on October 4, 2016, which appears to be very similar, if not identical, in most material respects to the report filed on July 7, 2016. In both reports, the executor requested a 90-day extension for purposes of resolving well-use issues and obtaining additional appraisals and stated that the surveyor she hired was out of state. The Court is unable to ascertain what progress has been made over the past three months and therefore unable to predict whether an additional 90-day extension is likely to be adequate to bring this estate administration to a close. It has now been more than two years since letters testamentary were issued. Appearance required.

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PR11141 Estate of Susan L. Cabasug

Hearing type: First amended first and final accounting and report of executor;
petition for final settlement and distribution and for compensation
Executor: Jonpaul Cabasug
Executor's counsel: Bruce E. Ramsey

The Court has reviewed the account, report, and petition filed on October 11, 2016. The petition will be recommended for approval upon filing of the original signatures of the executor on pages 9 and 18.

PR11215 Estate of Nicholas E. Love

Hearing type: Review re report on status of administration (Prob. Code, § 12200)
Administrator: Tenisha T. McGilbra
Administrator's counsel: Cynthia R. Hadell

The Court has reviewed the report filed on October 5, 2016. Appearance not required. The next review hearing pursuant to Probate Code section 12200 will be set for April 21, 2017, at 8:30 a.m.

PR11223 Estate of Jewel D. Kelley

Hearing type: Review re report on status of administration (Prob. Code, § 12200)
Administrator: Frances Clark
Administrator's counsel: John B. Allen

The Court has reviewed the report filed on October 7, 2016. There is no proof of service of notice of the hearing on the Bank of Stockton, which filed a request for special notice on October 23, 2015, and has not withdrawn it. The administrator also did not provide a specific estimate of the time needed to close administration of the estate as required by Probate Code section 12201, subdivision (a). The matter will be continued to November 18, 2016, at 8:30 a.m. so that notice can be given and the Court has additional information for setting the next review hearing.

PR11245 In the Matter of William C. Miller Revocable 2008 Trust

Hearing types: (1) Further review re former trustee's accounting
 (2) Further hearing re order to show cause re sanctions
Former trustee: Mark Miller
Former trustee's counsel: Jennifer J. Lothert

As of October 16, 2016, the accounting still had not been filed. Appearance required.

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PR11268

Estate of Frances J. Webb

Hearing type: Review re inventory and appraisal
Executor: George H. Webb, III
Executor's counsel: Scott Ward

The Court has reviewed the Inventory and Appraisal form filed on August 10, 2016. There are several problems:

1. The form is titled "Partial No. One" and reflects that it contains only a portion of the estate that has come to the executor's knowledge or possession. Pursuant to Probate Code section 8800, subdivision (c), all inventories and appraisals shall be filed within four months after letters are issued to the personal representative, except where further time is allowed by the Court. The four-month period following issuance of letters expired on October 6, 2016, and, as of October 16, 2016 and the court file reflects neither a request nor an order for further time to complete all inventories and appraisals.
2. Item 4 misstates the date of the order appointing a probate referee.
3. Attachment 1 reflects the executor's own appraisal of "Decedent's Personal Property" without specifying what the property is. Thus, the Court cannot assess whether the executor had authority to complete that appraisal or whether that property should have been appraised by the probate referee.

Appearance required if the above issues are not resolved prior to the hearing.

PR11348

In the Matter of the Jewel J. Murphy Trust

Hearing type: Further review re transfer from Mariposa County Superior Court
Petitioner: Matthew Menzel
Petitioner's counsel: Jessica Barsotti

The Court received this case by way of transfer from Mariposa County Superior Court on July 25, 2016, and set a review hearing for August 26, 2016, because no date had been requested by the parties for hearing the Petition to Remove Co-Trustee originally filed on May 19, 2016, or any other matter. At the hearing on August 26, 2016, the petitioner requested a continuance in order to have time to retain another attorney, and his request was granted. As of October 16, 2016, neither the petitioner nor Ms. Barsotti has filed a substitution-of-attorney form, nor has any other document been filed with the Court since the last hearing. Appearance required.

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PR11354 Estate of Douglas Melvin Gee

Hearing type: Petition for probate of will and letters testamentary
Petitioner: Shelly M. Gee
Petitioner's counsel: William J. Coffill

The Court has reviewed the petition filed on August 23, 2016, which is recommended for approval. Appearance not required. A review hearing re inventory and appraisal will be set for February 24, 2017, at 8:30 a.m. A review hearing pursuant to Probate Code section 12200 will be set for October 27, 2017, at 8:30 a.m.

PR11355 Estate of June M. Kristapovich

Hearing type: Further hearing re petition for probate of will and letters testamentary
Petitioner: Greg Kristapovich
Petitioner's counsel: None

As the petitioner has now filed form DE-147, the petition filed on August 22, 2016, is recommended for approval. Appearance is not required, though the petitioner still must sign the proposed letters testamentary and may do so by appearing at the hearing. A review hearing re inventory and appraisal will be set for February 24, 2017, at 8:30 a.m. A review hearing pursuant to Probate Code section 12200 will be set for October 27, 2017, at 8:30 a.m.

PR9778 Conservatorship of Andrew Jason Crowe

Hearing type: Review re court investigator's report (Prob. Code, § 1850)
Conservator: Cheryl Crowe
Conservator's counsel: Jennifer J. Lothert

The Court has reviewed the report filed on September 16, 2016. Appearance not required. A review hearing re the court investigator's next report will be set for October 19, 2018, at 8:30 a.m.

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Conservatorship of Melissa R. Stone

Conservators' counsel: Jennifer J. Lothert

As of October 16, 2016, the thirteenth accounting had not been filed. Appearance required if it is not filed prior to the hearing.

Guardianship of Kevin T. Bashaw, et al.

Guardian's counsel: None

The guardianship of Corynne Bashaw terminated by operation of law on her eighteenth birthday. Appearance not required.

Guardianship of Jeremiah Jay Swanson

Guardians' counsel: None

As of October 16, 2016, the report had not been filed. Appearance required if it is not filed prior to the hearing.

Guardianship of Alex M. Cedergren

Guardian's counsel: None

The guardianship terminated by operation of law on the former ward's eighteenth birthday.
Appearance not required.

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PR11218 Guardianship of Joey A. Ennis

Hearing type: Review re Confidential Guardianship Status Report
Guardian: Michael Sweeley
Guardian's counsel: Jennifer J. Lothert

As of October 16, 2016, the report had not been filed. Appearance required if it is not filed prior to the hearing.

PR11219 Guardianship of Jessica Arillya Holden-Souza

Hearing type: Review re Confidential Guardianship Status Report
Guardian: Jerri Lynn Souza
Guardian's counsel: None

As of October 16, 2016, the report had not been filed. Appearance required if it is not filed prior to the hearing.